

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 04-CR-40039-JPG
)	
MICHAEL R. MCCAY,)	
)	
Defendant.)	

ORDER

This matter comes before the Court on a Report and Recommendation (Doc. 545) from Magistrate Judge Frazier, recommending that this Court accept defendant Michael R. McCay's guilty plea and adjudicate him guilty on Count 1 of the Fourth Superseding Indictment (Doc. 384).

After reviewing a magistrate judge's report and recommendation, the Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The parties have not objected to the R&R so its review is for clear error. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). Upon review, the Court finds that Judge Frazier did not clearly err, and hereby **ADOPTS** the R&R in its entirety. The Court accepts defendant Michael R. McCay's plea of guilty to Count 1 of the Fourth Superseding indictment and hereby adjudges him guilty of that offense.

IT IS SO ORDERED

DATED: November 15, 2006.

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. District Judge